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## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

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**Attorneys for Secured Creditor** 

Bank of New York Mellon, et al.

In Re:

Case

Case No.: 17-17682-ABA

by Clerk

Order Filed on November 15, 2017

U.S. Bankruptcy Court District of New Jersey

Adv. No.:

Hearing Date: 11/8/17 @10:00 a.m.

Debtor.

Judge: Andrew B. Altenburg, Jr.

## ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through two (2) is hereby **ORDERED** 

DATED: November 15, 2017

Honorable Andrew B. Altenburg, Jr. United States Bankruptcy Court Page 2

Debtor: Vivian Maldonado Case No.: 17-17682-ABA

Caption: ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO

**DEBTOR'S CHAPTER 13 PLAN** 

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Bank of New York Mellon, f/k/a Bank of New York, as Trustee for the benefit of the Certificateholders of CWABS, Inc., Asset-Backed Certificates, Series 2006-BC3, holder of a mortgage on real property located at 766 South Valley Avenue, Vineland, NJ 08360, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Seymour Wasserstrum, Esquire, attorney for Debtor, Vivian Maldonado, and for good cause having been shown;

It **ORDERED**, **ADJUDGED** and **DECREED** that Debtor shall obtain a loan modification within six months of the date of confirmation, or as may be extended by modified plan; and

It is **FURTHER ORDERED**, **ADJUDGED** and **DECREED** that Debtor is to make regular post-petition payments in accordance with the terms of the note and mortgage while the loan modification is pending; and

It is **FURTHER ORDERED**, **ADJUDGED and DECREED** that if loss mitigation is unsuccessful, Debtor shall modify the plan to address Secured Creditor's pre-petition arrears, either by curing the arrears, selling the property, surrendering the subject property, or in a manner otherwise permitted by the code; and

It is **FURTHER ORDERED**, **ADJUDGED and DECREED** that the Trustee shall not make disbursements on Secured Creditor's claim while the loan modification is pending; and

It is **FURTHER ORDERED**, **ADJUDGED and DECREED** that Secured Creditor does not waive its rights with regard to the pre-petition arrears; and

It is **FURTHER ORDERED**, **ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.